

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID J. CATANZARO,

Plaintiff,

vs.

WALMART STORES, INC., *et al.*,

Defendants.

No. 3:22-cv-1768-MEM

(Judge Malachy E. Mannion)

**DEFENDANT AMAZON.COM, INC.’S UNOPPOSED
MOTION FOR SECOND EXTENSION OF TIME TO RESPOND
TO PLAINTIFF’S THIRD AMENDED COMPLAINT (ECF NO. 23)**

Defendant Amazon.com, Inc. (“Amazon” or “Defendant”), by and through its undersigned counsel, hereby files this Motion for Second Extension of Time to move, answer, or otherwise respond to the Third Amended Complaint (ECF No. 23) (“Complaint”) of David J. Catanzaro (“Plaintiff” or “Catanzaro”). In support of this Motion, Defendant states as follows:

1. On January 6, 2023, Plaintiff filed a Complaint alleging, inter alia, that Defendant infringes U.S. Patent No. 7,653,959.
2. Plaintiff served the Complaint on Defendant on July 6, 2023. Accordingly, Defendant’s motion, answer, or other response to the Complaint was due on July 27, 2023.

3. On July 26, 2023, Defendant requested, and Plaintiff agreed to an extension of 30 days until and including August 28, 2023, for Defendant to move, answer, or otherwise respond to the Complaint.

4. On August 1, 2023 by Court Order (ECF No. 59) the extension of time was granted to August 28, 2023.

5. The parties have reached an agreement in principle and are in the process of drafting an agreement memorializing their settlement.

6. Accordingly, Defendant requested, and Plaintiff agreed to a second extension of 30 days until and including September 27, 2023, for Defendant to move, answer, or otherwise respond to the Complaint. Defendant therefore files this Motion unopposed.

7. No Scheduling Order has been entered in this case and no deadlines have been set.

Accordingly, Defendant respectfully requests that the Court grant this unopposed Motion and extend the deadline for Defendant to move, answer, or otherwise respond to the Complaint to September 27, 2023.

August 24, 2023

Respectfully submitted,

/s/ Robert T. Cruzen
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Attorneys for defendant Amazon.com, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August 2023, a copy of the foregoing was filed with the Court electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

In addition, I further certify that on this 24th day of August 2023, a copy of the foregoing was served via U.S. Mail, upon Plaintiff David J. Catanzaro at the following address.

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286 Upper Powderly Street
Carbondale, PA 18407
Plaintiff, pro se

By: /s/ Robert T. Cruzen
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